



WESTFIELD-WASHINGTON
BOARD OF ZONING APPEALS

August 14, 2012

1206-VS-06

Exhibit 1

Petition Number: 1206-VS-06

Subject Site Address: 1910 E. 202nd Street

Petitioner: Devon Wilkins

Request: The petitioner is requesting multiple Variances of Standard from the Westfield-Washington Zoning Ordinance for the property commonly known as 1910 E. 202nd Street, Westfield, Indiana 46074. The request is as follows: (WC § 16.04.100.2.b.vii) to allow the total square footage of accessory buildings to exceed the total square footage of the principal building by 2,722 square feet; (WC § 16.04.100.2.c.i.(2).(ii)) to allow for an accessory structure to be erected in the front yard of the principal structure; and (WC § 16.04.070.8.3) the US 31 Overlay landscape and architectural requirement to not apply.

Current Zoning: AG-SF1

Current Land Use: Residential

Approximate Acreage: 3.57 acres

Zoning History: 0205-VS-040, 05/21/2002

Exhibits:

1. Staff Report
2. Aerial Location Map
3. Site Plan
4. Elevation Plan

Staff Reviewer: Andrew Murray, Associate Planner

Petition History

This petition will receive a public hearing at the August 14, 2012 Board of Zoning Appeals meeting.

Analysis

The subject property is approximately 3.57 acres in size and is located on 202nd Street (the "Property"). The Property is zoned Agriculture – Single Family 1 District ("AG-SF1") and falls within the U.S. Highway



31 Overlay Zone. The petitioner is requesting multiple variances of standard to allow a pole structure to be located on the Property for storage of antique tractors.

Variance of Development Standard #1 - WC § 16.04.100.2.b.vii

The proposed accessory structure (the "Structure") would measure 40 feet by 60 feet and have a gross floor area of 2,400 square feet. The combined square footage of existing and proposed accessory structure square footage is 5,568 square feet, which exceeds the total square footage of the principal structure by 2,722 square feet.

Per WC § 16.04.100.2.b.vii, accessory structures must be subordinate to the principal structure in height, width, length and bulk.

Variance of Development Standard #2 - WC § 16.04.100.2.c.i.(2).(ii)

The Structure would be constructed approximately 50 feet in the front of the existing, primary residence.

Per WC § 16.04.100.2.c.i.(2).(ii), no accessory structure may be erected in the front yard of a principal structure.

Variance of Development Standard #3 - WC § 16.04.070.8.3

Per WC § 16.04.070.8.3, the US 31 Overlay Zone (the "Overlay Zone") requires all new structures to be constructed with a minimum of three (3) building materials, one of which must be stone or brick, and a minimum of eight (8) external corners to eliminate box buildings. The Overlay Zone also requires any building to be constructed to be in accordance with the Westfield-Washington Landscape Ordinance and Lighting Ordinance.

The petitioner is proposing sheet metal as the primary, exterior building material with a three (3) wainscot finish. The wainscot finish will be white and the upper portion of the structure is ash gray. The petitioner is not proposing any additional landscaping or exterior lighting. The Structure does meet all other applicable development standards in the Overlay Zone and AG-SF1 District.

Procedural

The Board of Zoning Appeals shall approve or deny variances from the development standards (such as height, bulk, or area) of the underlying zoning ordinance. A variance may be approved under Ind. Code § 36-7-4-918.5 only upon a determination in writing that:



1. *The approval will not be injurious to the public health, safety, morals, and general welfare of the community:*

Finding: It is unlikely that approving the requested variances would be injurious to the public health, safety, morals, and general welfare of the community. The AG-SF1 zoning district permits storage structures, which are accessory to the permitted residential use. While the total square footage of accessory structure exceeds the primary structure in size, the primary use of the site would remain residential.

2. *The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner:*

Finding: It is unlikely that the use and value of adjacent property will be affected in a substantially adverse manner. The Structure should not have a negative impact on surrounding property owners, as a majority of the surrounding property is farm land. Any feedback from adjacent property owners should provide insight regarding the impact on adjacent properties.

3. *The strict application of the terms of the zoning ordinance will result in practical difficulties in the use of the subject property.*

Finding: Strict adherence to the zoning ordinance would result in the inability to construct the Structure, as proposed. The location of the septic field, north of the primary structure, dictates the placement of the proposed placement of the structure.

Recommendation

If the Board finds that the application of the terms of the zoning ordinance would result in practical difficulties in the use of the Property and adjacent property values will not be affected in a substantially adverse manner, then approve 1206-VS-06.